

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing the
5 heading of Article 9 and Sections 9-1.4, 9-1.5, 9-1.6, 9-1.8,
6 9-1.9, 9-1.10, 9-1.12, 9-1.13, 9-1.14, 9-2, 9-3, 9-5, 9-6, 9-7,
7 9-8, 9-9, 9-10, 9-11, 9-13, 9-16, 9-21, 9-28, 9-30, and 29-12
8 and by adding Sections 9-1.15, 9-8.5, 9-8.6, 9-23.5, 9-28.5,
9 and 9-40 as follows:

10 (10 ILCS 5/Art. 9 heading)

11 ARTICLE 9. DISCLOSURE AND REGULATION OF CAMPAIGN
12 CONTRIBUTIONS AND EXPENDITURES

13 (10 ILCS 5/9-1.4) (from Ch. 46, par. 9-1.4)

14 Sec. 9-1.4. Contribution.

15 (A) "Contribution" means:—

16 (1) a gift, subscription, donation, dues, loan, advance, ~~or~~
17 deposit of money, or anything of value, knowingly received in
18 connection with the nomination for election, ~~or~~ election, or
19 retention of any candidate or person to or in public office, ~~in~~
20 ~~connection with the election of any person as ward or township~~
21 ~~committeeman in counties of 3,000,000 or more population,~~ or in
22 connection with any question of public policy;

1 (1.5) a gift, subscription, donation, dues, loan, advance,
2 deposit of money, or anything of value that constitutes an
3 electioneering communication ~~regardless of whether the~~
4 ~~communication is~~ made in concert or cooperation with or at the
5 request, suggestion, or knowledge of a candidate, a ~~candidate's~~
6 ~~authorized local~~ political committee, a ~~State political~~
7 ~~committee, a political committee in support of or opposition to~~
8 ~~a question of public policy,~~ or any of their agents;

9 (2) the purchase of tickets for fund-raising events,
10 including but not limited to dinners, luncheons, cocktail
11 parties, and rallies made in connection with the nomination for
12 election, ~~or~~ election, or retention of any person in or to
13 public office, ~~in connection with the election of any person as~~
14 ~~ward or township committeeman in counties of 3,000,000 or more~~
15 ~~population,~~ or in connection with any question of public
16 policy;

17 (3) a transfer of funds received by a political committee
18 from another ~~between~~ political committee ~~committees;~~ and

19 (4) the services of an employee donated by an employer, in
20 which case the contribution shall be listed in the name of the
21 employer, except that any individual services provided
22 voluntarily and without promise or expectation of compensation
23 from any source shall not be deemed a contribution; and but

24 (5) an expenditure by a political committee made in
25 cooperation, consultation, or concert with another political
26 committee.

1 (B) "Contribution" does not include:—

2 (a) the use of real or personal property and the
3 cost of invitations, food, and beverages, voluntarily
4 provided by an individual in rendering voluntary
5 personal services on the individual's residential
6 premises for candidate-related activities; provided
7 the value of the service provided does not exceed an
8 aggregate of \$150 in a reporting period;

9 (b) the sale of any food or beverage by a vendor
10 for use in a candidate's campaign at a charge less than
11 the normal comparable charge, if such charge for use in
12 a candidate's campaign is at least equal to the cost of
13 such food or beverage to the vendor;—

14 (c) communications by a corporation to its
15 stockholders and executive or administrative personnel
16 or their families;

17 (d) communications by an association to its
18 members and executive or administrative personnel or
19 their families;

20 (e) voter registration or other campaigns
21 encouraging voting that make no mention of any clearly
22 identified candidate, public question, political
23 party, group, or combination thereof;

24 (f) a loan of money by a national or State bank or
25 credit union made in accordance with the applicable
26 banking laws and regulations and in the ordinary course

1 of business, but the loan shall be listed on disclosure
2 reports required by this Article; however, the use,
3 ownership, or control of any security for such a loan,
4 if provided by a person other than the candidate or his
5 or her committee, qualifies as a contribution; or

6 (g) an independent expenditure.

7 (C) Interest or other investment income, earnings or
8 proceeds, and refunds or returns of all or part of a
9 committee's previous expenditures shall not be considered
10 contributions but shall be listed on disclosure reports
11 required by this Article.

12 (Source: P.A. 94-645, eff. 8-22-05.)

13 (10 ILCS 5/9-1.5) (from Ch. 46, par. 9-1.5)

14 Sec. 9-1.5. Expenditure ~~defined~~.

15 (A) "Expenditure" means:-

16 (1) a payment, distribution, purchase, loan, advance,
17 deposit, ~~or~~ gift of money, or anything of value, in
18 connection with the nomination for election, ~~or~~ election,
19 or retention of any person to or in public office, ~~in~~
20 connection with the election of any person as ward ~~or~~
21 township committeeman in counties of 3,000,000 or more
22 population, or in connection with any question of public
23 policy:-

24 (2) "Expenditure" ~~also includes~~ a payment,
25 distribution, purchase, loan, advance, deposit, ~~or~~ gift of

1 money, or anything of value that constitutes an
2 electioneering communication ~~regardless of whether the~~
3 ~~communication is~~ made in concert or cooperation with or at
4 the request, suggestion, or knowledge of a candidate, a
5 ~~candidate's authorized local~~ political committee, a ~~State~~
6 ~~political committee, a political committee in support of or~~
7 ~~opposition to a question of public policy,~~ or any of their
8 agents; or. ~~However,~~

9 (3) a transfer of funds by a political committee to
10 another political committee.

11 (B) "Expenditure" ~~expenditure~~ does not include: -

12 (a) the use of real or personal property and the cost
13 of invitations, food, and beverages, voluntarily provided
14 by an individual in rendering voluntary personal services
15 on the individual's residential premises for
16 candidate-related activities; provided the value of the
17 service provided does not exceed an aggregate of \$150 in a
18 reporting period; or

19 (b) the sale of any food or beverage by a vendor for
20 use in a candidate's campaign at a charge less than the
21 normal comparable charge, if such charge for use in a
22 candidate's campaign is at least equal to the cost of such
23 food or beverage to the vendor.

24 ~~(2) a transfer of funds between political committees.~~

25 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
26 93-847, eff. 7-30-04.)

1 (10 ILCS 5/9-1.6) (from Ch. 46, par. 9-1.6)

2 Sec. 9-1.6. Person. "Person" or "whoever" means a natural
3 person ~~an individual~~, trust, partnership, committee,
4 association, corporation, or any other organization or group of
5 persons.

6 (Source: P.A. 78-1183.)

7 (10 ILCS 5/9-1.8) (from Ch. 46, par. 9-1.8)

8 Sec. 9-1.8. Political committees.

9 (a) "Political committee" includes a candidate political
10 committee, a political party committee, a political action
11 committee, and a ballot initiative committee.

12 (b) "Candidate political committee" means the candidate
13 himself or herself or any natural person, trust, partnership,
14 corporation, or other organization or group of persons
15 designated by the candidate that accepts contributions or makes
16 expenditures during any 12-month period in an aggregate amount
17 exceeding \$3,000 on behalf of the candidate.

18 (c) "Political party committee" means the State central
19 committee of a political party, a county central committee of a
20 political party, a legislative caucus committee, or a committee
21 formed by a ward or township committeeman of a political party.
22 For purposes of this Article, a "legislative caucus committee"
23 means a committee established for the purpose of electing
24 candidates to the General Assembly by the person elected

1 President of the Senate, Minority Leader of the Senate, Speaker
2 of the House of Representatives, Minority Leader of the House
3 of Representatives, or a committee established by 5 or more
4 members of the same caucus of the Senate or 10 or more members
5 of the same caucus of the House of Representatives.

6 (d) "Political action committee" means any natural person,
7 trust, partnership, committee, association, corporation, or
8 other organization or group of persons, other than a candidate,
9 political party, candidate political committee, or political
10 party committee, that accepts contributions or makes
11 expenditures during any 12-month period in an aggregate amount
12 exceeding \$3,000 on behalf of or in opposition to a candidate
13 or candidates for public office. "Political action committee"
14 includes any natural person, trust, partnership, committee,
15 association, corporation, or other organization or group of
16 persons, other than a candidate, political party, candidate
17 political committee, or political party committee, that makes
18 electioneering communications during any 12-month period in an
19 aggregate amount exceeding \$3,000 related to any candidate or
20 candidates for public office.

21 (e) "Ballot initiative committee" means any natural
22 person, trust, partnership, committee, association,
23 corporation, or other organization or group of persons that
24 accepts contributions or makes expenditures during any
25 12-month period in an aggregate amount exceeding \$3,000 in
26 support of or in opposition to any question of public policy to

1 be submitted to the electors. "Ballot initiative committee"
2 includes any natural person, trust, partnership, committee,
3 association, corporation, or other organization or group of
4 persons that makes electioneering communications during any
5 12-month period in an aggregate amount exceeding \$3,000 related
6 to any question of public policy to be submitted to the voters.
7 The \$3,000 threshold applies to any contributions or
8 expenditures received or made with the purpose of securing a
9 place on the ballot for, advocating the defeat or passage of,
10 or engaging in electioneering communication regarding the
11 question of public policy, regardless of the method of
12 initiation of the question of public policy and regardless of
13 whether petitions have been circulated or filed with the
14 appropriate office or whether the question has been adopted and
15 certified by the governing body.

16 ~~"State political committee" means the candidate himself or any~~
17 ~~individual, trust, partnership, committee, association,~~
18 ~~corporation, or any other organization or group of persons~~
19 ~~which~~

20 ~~(a) accepts contributions or grants or makes expenditures~~
21 ~~during any 12-month period in an aggregate amount exceeding~~
22 ~~\$3,000 on behalf of or in opposition to a candidate or~~
23 ~~candidates for public office who are required by the Illinois~~
24 ~~Governmental Ethics Act to file statements of economic~~
25 ~~interests with the Secretary of State,~~

26 ~~(b) accepts contributions or makes expenditures during any~~

1 ~~12-month period in an aggregate amount exceeding \$3,000 in~~
2 ~~support of or in opposition to any question of public policy to~~
3 ~~be submitted to the electors of an area encompassing more than~~
4 ~~one county. The \$3,000 threshold established in this paragraph~~
5 ~~(b) applies to any receipts or expenditures received or made~~
6 ~~with the purpose of securing a place on the ballot for,~~
7 ~~advocating the defeat or passage of, or engaging in~~
8 ~~electioneering communication regarding the question of public~~
9 ~~policy regardless of the method of initiation of the question~~
10 ~~of public policy and regardless of whether petitions have been~~
11 ~~circulated or filed with the appropriate office or whether the~~
12 ~~question has been adopted and certified by the governing body,~~

13 ~~(c) accepts contributions or makes expenditures during any~~
14 ~~12-month period in an aggregate amount exceeding \$3,000 and has~~
15 ~~as its primary purpose the furtherance of governmental,~~
16 ~~political or social values, is organized on a not for profit~~
17 ~~basis, and which publicly endorses or publicly opposes a~~
18 ~~candidate or candidates for public office who are required by~~
19 ~~the Illinois Governmental Ethics Act to file statements of~~
20 ~~economic interest with the Secretary of State, or~~

21 ~~(d) accepts contributions or makes expenditures during any~~
22 ~~12-month period in an aggregate amount exceeding \$3,000 for~~
23 ~~electioneering communications relating to any candidate or~~
24 ~~candidates described in paragraph (a) or any question of public~~
25 ~~policy described in paragraph (b).~~

26 (Source: P.A. 95-963, eff. 1-1-09.)

1 (10 ILCS 5/9-1.9) (from Ch. 46, par. 9-1.9)

2 Sec. 9-1.9. Election cycle. "Election cycle" means any of
3 the following:

4 (1) For a candidate political committee organized to
5 support a candidate to be elected at a general primary election
6 or general election, (i) the period beginning January 1
7 following the general election for the office to which a
8 candidate seeks nomination or election and ending on the day of
9 the general primary election for that office or (ii) the period
10 beginning the day after a general primary election for the
11 office to which the candidate seeks nomination or election and
12 through December 31 following the general election.

13 (2) Notwithstanding paragraph (1), for a candidate
14 political committee organized to support a candidate for the
15 General Assembly, (i) the period beginning January 1 following
16 a general election and ending on the day of the next general
17 primary election or (ii) the period beginning the day after the
18 general primary election and ending on December 31 following a
19 general election.

20 (3) For a candidate political committee organized to
21 support a candidate for a retention election, (i) the period
22 beginning January 1 following the general election at which the
23 candidate was elected through the day the candidate files a
24 declaration of intent to seek retention or (ii) the period
25 beginning the day after the candidate files a declaration of

1 intent to seek retention through December 31 following the
2 retention election.

3 (4) For a candidate political committee organized to
4 support a candidate to be elected at a consolidated primary
5 election or consolidated election, (i) the period beginning
6 July 1 following a consolidated election and ending on the day
7 of the consolidated primary election or (ii) the period
8 beginning the day after the consolidated primary election and
9 ending on June 30 following a consolidated election.

10 (5) For a political party committee, political action
11 committee, or ballot initiative committee, the period
12 beginning on January 1 and ending on December 31 of each
13 calendar year. "Political committee" includes State central
14 and county central committees of any political party, and also
15 includes local political committees and state political
16 committees, but does not include any candidate who does not
17 accept contributions or make expenditures during any 12 month
18 period in an aggregate amount exceeding \$3,000, nor does it
19 include, with the exception of State central and county central
20 committees of any political party, any individual, trust,
21 partnership, committee, association, corporation, or any other
22 organization or group of persons which does not (i) accept
23 contributions or make expenditures during any 12-month period
24 in an aggregate amount exceeding \$3,000 on behalf of or in
25 opposition to a candidate or candidates or to any question of
26 public policy or (ii) accept contributions or make expenditures

1 ~~during any 12-month period in an aggregate amount exceeding~~
2 ~~\$3,000 for electioneering communications relating to any~~
3 ~~candidate or candidates described in paragraph (a) of Section~~
4 ~~9-1.7 or 9-1.8 or any question of public policy described in~~
5 ~~paragraph (b) of Section 9-1.7 or 9-1.8, and such candidates~~
6 ~~and persons shall not be required to comply with any filing~~
7 ~~provisions in this Article.~~

8 (Source: P.A. 93-847, eff. 7-30-04.)

9 (10 ILCS 5/9-1.10) (from Ch. 46, par. 9-1.10)

10 Sec. 9-1.10. Public Office. "Public office" means any
11 elective office or judicial office subject to retention ~~for~~
12 ~~which candidates are required to file statements of economic~~
13 ~~interests under the "Illinois Governmental Ethics Act",~~
14 ~~approved August 26, 1967, as amended.~~

15 (Source: P.A. 78-1183.)

16 (10 ILCS 5/9-1.12) (from Ch. 46, par. 9-1.12)

17 Sec. 9-1.12. Anything of value. "Anything of value" means
18 any item, thing, service ~~includes all things, services, or good~~
19 ~~goods,~~ regardless of whether it ~~they~~ may be valued in monetary
20 terms according to ascertainable market value. Anything of
21 value which does not have an ascertainable market value must be
22 reported by describing the item, thing, service ~~services,~~ or
23 good ~~goods~~ contributed and by using the contributor's certified
24 market value required under Section 9-6.

1 (Source: P.A. 90-737, eff. 1-1-99.)

2 (10 ILCS 5/9-1.13) (from Ch. 46, par. 9-1.13)

3 Sec. 9-1.13. Transfer of funds. "Transfer of funds" means
4 any conveyance of money ~~or the purchase of tickets made in~~
5 ~~connection with the nomination for election, election or~~
6 ~~retention of any person to or in public office or in connection~~
7 ~~with any question of public policy~~ from one political committee
8 to another political committee.

9 (Source: P.A. 86-873.)

10 (10 ILCS 5/9-1.14)

11 Sec. 9-1.14. Electioneering communication ~~defined.~~

12 (a) "Electioneering communication" means, for the purposes
13 of this Article, any broadcast, cable, or satellite ~~form of~~
14 communication, ~~in whatever medium,~~ including ~~but not limited to~~
15 ~~a newspaper,~~ radio, television, or Internet communication,
16 that (1) refers to (i) a clearly identified candidate or
17 candidates who will appear on the ballot for nomination for
18 election, election, or retention, (ii) ~~refers to~~ a clearly
19 identified political party, or (iii) ~~refers to~~ a clearly
20 identified question of public policy that will appear on the
21 ballot, ~~and~~ (2) is made within (i) 60 days before a general
22 election or consolidated election or (ii) 30 days before a
23 primary election, (3) is targeted to the relevant electorate,
24 and (4) is susceptible to no reasonable interpretation other

1 than as an appeal to vote for or against a clearly identified
2 candidate for nomination for election, election, or retention,
3 a political party, or a question of public policy.

4 (b) "Electioneering communication" does not include:

5 (1) A communication, other than an advertisement,
6 appearing in a news story, commentary, or editorial
7 distributed through the facilities of any legitimate news
8 organization, unless the facilities are owned or
9 controlled by any political party, political committee, or
10 candidate.

11 (2) A communication made solely to promote a candidate
12 debate or forum that is made by or on behalf of the person
13 sponsoring the debate or forum.

14 (3) A communication made as part of a non-partisan
15 activity designed to encourage individuals to vote or to
16 register to vote.

17 (4) A communication by an organization operating and
18 remaining in good standing under Section 501(c)(3) of the
19 Internal Revenue Code of 1986.

20 (5) A communication exclusively between a labor
21 organization, as defined under federal or State law, and
22 its members.

23 (6) A communication exclusively between an
24 organization formed under Section 501(c)(6) of the
25 Internal Revenue Code and its members.

26 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;

1 93-847, eff. 7-30-04; 94-461, eff. 8-4-05; 94-645, eff.
2 8-22-05.)

3 (10 ILCS 5/9-1.15 new)

4 Sec. 9-1.15. Independent expenditure. "Independent
5 expenditure" means any payment, gift, donation, or expenditure
6 of funds (i) by a natural person or political committee for the
7 purpose of making electioneering communications or of
8 expressly advocating for or against the nomination for
9 election, election, retention, or defeat of a clearly
10 identifiable public official or candidate and (ii) that is not
11 made in connection, consultation, or concert with or at the
12 request or suggestion of the public official or candidate, the
13 public official's or candidate's designated political
14 committee or campaign, or the agent or agents of the public
15 official, candidate, or political committee or campaign.

16 (10 ILCS 5/9-2) (from Ch. 46, par. 9-2)

17 Sec. 9-2. Political committee designations.

18 (a) Every political committee shall be designated as a (i)
19 candidate political committee, (ii) political party committee,
20 (iii) political action committee, or (iv) ballot initiative
21 committee.

22 (b) Beginning January 1, 2011, no public official or
23 candidate for public office may maintain or establish more than
24 one candidate political committee for each office that public

1 official or candidate holds or is seeking. The name of each
2 candidate political committee shall identify the name of the
3 public official or candidate supported by the candidate
4 political committee. If a candidate establishes separate
5 candidate political committees for each public office, the name
6 of each candidate political committee shall also include the
7 public office to which the candidate seeks nomination for
8 election, election, or retention. If a candidate establishes
9 one candidate political committee for multiple offices elected
10 at different elections, then the candidate shall designate an
11 election cycle, as defined in Section 9-1.9, for purposes of
12 contribution limitations and reporting requirements set forth
13 in this Article. No political committee, other than a candidate
14 political committee, may include the name of a candidate in its
15 name.

16 (c) Beginning January 1, 2011, no State central committee
17 of a political party, county central committee of a political
18 party, committee formed by a ward or township committeeman, or
19 committee established for the purpose of electing candidates to
20 the General Assembly may maintain or establish more than one
21 political party committee. The name of the committee must
22 include the name of the political party.

23 (d) Beginning January 1, 2011, no natural person, trust,
24 partnership, committee, association, corporation, or other
25 organization or group of persons forming a political action
26 committee shall maintain or establish more than one political

1 action committee. The name of a political action committee must
2 include the name of the entity forming the committee.

3 (e) Beginning January 1, 2011, the name of a ballot
4 initiative committee must include words describing the
5 question of public policy and whether the group supports or
6 opposes the question.

7 (f) Every political committee shall designate a chairman
8 and a treasurer. The same person may serve as both chairman and
9 treasurer of any political committee. A candidate who
10 administers his own campaign contributions and expenditures
11 shall be deemed a political committee for purposes of this
12 Article and shall designate himself as chairman, treasurer, or
13 both chairman and treasurer of such political committee. The
14 treasurer of a political committee shall be responsible for
15 keeping the records and filing the statements and reports
16 required by this Article.

17 (g) No contribution and no expenditure shall be accepted or
18 made by or on behalf of a political committee at a time when
19 there is a vacancy in the office of chairman or treasurer
20 thereof. No expenditure shall be made for or on behalf of a
21 political committee without the authorization of its chairman
22 or treasurer, or their designated agents.

23 (h) For purposes of implementing the changes made by this
24 amendatory Act of the 96th General Assembly, every political
25 committee in existence on the effective date of this amendatory
26 Act of the 96th General Assembly shall make the designation

1 required by this Section by December 31, 2010.

2 (Source: P.A. 80-756.)

3 (10 ILCS 5/9-3) (from Ch. 46, par. 9-3)

4 Sec. 9-3. Political committee statement of organization.

5 (a) Every ~~state~~ political committee ~~and every local~~
6 ~~political committee~~ shall file with the State Board of
7 Elections, ~~and every local political committee shall file with~~
8 ~~the county clerk,~~ a statement of organization within 10
9 business days of the creation of such committee, except any
10 political committee created within the 30 days before an
11 election shall file a statement of organization within 2 5
12 business days in person, by facsimile transmission, or by
13 electronic mail. Any change in information previously
14 submitted in a statement of organization shall be reported, as
15 required for the original statement of organization by this
16 Section, within 10 days following that change. A political
17 committee that acts as both a state political committee and a
18 local political committee shall file a copy of each statement
19 of organization with the State Board of Elections and the
20 county clerk. The Board shall impose a civil penalty of \$50 ~~\$25~~
21 per business day upon political committees for failing to file
22 or late filing of a statement of organization, ~~except that for~~
23 ~~committees formed to support candidates for statewide office,~~
24 ~~the civil penalty shall be \$50 per business day.~~ Such penalties
25 shall not exceed \$5,000, and shall not exceed \$10,000 for

1 statewide office political committees. There shall be no fine
2 if the statement is mailed and postmarked at least 72 hours
3 prior to the filing deadline.

4 In addition to the civil penalties authorized by this
5 Section, the State Board of Elections or any other ~~affected~~
6 political committee may apply to the circuit court for a
7 temporary restraining order or a preliminary or permanent
8 injunction against the political committee to cease the
9 expenditure of funds and to cease operations until the
10 statement of organization is filed.

11 For the purpose of this Section, "statewide office" means
12 the Governor, Lieutenant Governor, Secretary of State,
13 Attorney General, State Treasurer, and State Comptroller.

14 (b) The statement of organization shall include: -

15 (1) ~~(a)~~ the name and address of the political committee
16 and the designation required by Section 9-2 ~~(the name of~~
17 ~~the political committee must include the name of any~~
18 ~~sponsoring entity);~~

19 (2) ~~(b)~~ the scope, area of activity, party affiliation,
20 ~~candidate affiliation and his county of residence,~~ and
21 purposes of the political committee;

22 (3) ~~(c)~~ the name, address, and position of each
23 custodian of the committee's books and accounts;

24 (4) ~~(d)~~ the name, address, and position of the
25 committee's principal officers, including the chairman,
26 treasurer, and officers and members of its finance

1 committee, if any;

2 (5) the name and address of any sponsoring entity ~~(e)~~
3 ~~(Blank)~~;

4 (6) ~~(f)~~ a statement of what specific disposition of
5 residual fund will be made in the event of the dissolution
6 or termination of the committee;

7 (7) ~~(g)~~ a listing of all banks or other financial
8 institutions, safety deposit boxes, and any other
9 repositories or custodians of funds used by the committee;
10 and

11 (8) ~~(h)~~ the amount of funds available for campaign
12 expenditures as of the filing date of the committee's
13 statement of organization.

14 For purposes of this Section, a "sponsoring entity" is (i)
15 any person, ~~political committee,~~ organization, corporation, or
16 association that contributes at least 33% of the total funding
17 of the political committee or (ii) any person or other entity
18 that is registered or is required to register under the
19 Lobbyist Registration Act and contributes at least 33% of the
20 total funding of the political committee, ~~except that a~~
21 ~~political committee is not a "sponsoring entity" for purposes~~
22 ~~of this Section if it is a political committee organized by (i)~~
23 ~~an established political party as defined in Section 10-2, (ii)~~
24 ~~a partisan caucus of either house of the General Assembly, or~~
25 ~~(iii) the Speaker or Minority Leader of the House of~~
26 ~~Representatives or the President or Minority Leader of the~~

1 ~~Senate, in his or her capacity as a legislative leader of the~~
2 ~~House of Representatives or Senate and not as a candidate for~~
3 ~~Representative or Senator.~~

4 (c) Each statement of organization required to be filed in
5 accordance with this Section shall be verified, dated, and
6 signed by either the treasurer of the political committee
7 making the statement or the candidate on whose behalf the
8 statement is made and shall contain substantially the following
9 verification:

10 "VERIFICATION:

11 I declare that this statement of organization (including
12 any accompanying schedules and statements) has been examined by
13 me and, to the best of my knowledge and belief, is a true,
14 correct, and complete statement of organization as required by
15 Article 9 of the Election Code. I understand that willfully
16 filing a false or incomplete statement is subject to a civil
17 penalty of at least \$1,001 and up to \$5,000.

18
19 (date of filing) (signature of person making the statement)".

20 (d) The statement of organization for a ballot initiative
21 committee also shall include a verification signed by the
22 chairperson of the committee that (i) the committee is formed
23 for the purpose of supporting or opposing a question of public
24 policy, (ii) all contributions and expenditures of the
25 committee will be used for the purpose described in the
26 statement of organization, (iii) the committee may accept

1 unlimited contributions from any source, provided that the
2 ballot initiative committee does not make contributions or
3 expenditures in support of or opposition to a candidate or
4 candidates for nomination for election, election, or
5 retention, and (iv) failure to abide by these requirements
6 shall deem the committee in violation of this Article.

7 (e) For purposes of implementing the changes made by this
8 amendatory Act of the 96th General Assembly, every political
9 committee in existence on the effective date of this amendatory
10 Act of the 96th General Assembly shall file the statement
11 required by this Section with the Board by December 31, 2010.

12 (Source: P.A. 93-574, eff. 8-21-03; 93-615, eff. 11-19-03;
13 94-645, eff. 8-22-05.)

14 (10 ILCS 5/9-5) (from Ch. 46, par. 9-5)

15 Sec. 9-5. Dissolved or inactive committee. ~~Any change in~~
16 ~~information previously submitted in a statement of~~
17 ~~organization except for information submitted under Section~~
18 ~~9-3 (h) shall be reported, as required of statements of~~
19 ~~organization by Section 9-3 of this Article, within 10 days~~
20 ~~following such change.~~

21 Any political committee which, after having filed a
22 statement of organization, dissolves as a political committee
23 or determines that it will no longer receive any campaign
24 contributions nor make any campaign expenditures shall notify
25 the Board, ~~or the Board and the county clerk, as required of~~

1 ~~statements of organization by Section 9-3 of this Article,~~ of
2 that fact and file with the Board, ~~or the Board and the county~~
3 ~~clerk, as required of statements of organization by Section 9-3~~
4 ~~of this Article,~~ a final report with respect to its
5 contributions and expenditures, including the final
6 disposition of its funds and assets.

7 In the event that a political committee dissolves, all
8 contributions in its possession, after payment of the
9 committee's outstanding liabilities, including staff salaries,
10 shall be refunded to the contributors in amounts not exceeding
11 their individual contributions, or transferred to other
12 political or charitable organizations consistent with the
13 positions of the committee or the candidates it represented. In
14 no case shall these funds be used for the personal
15 aggrandizement of any committee member or campaign worker.

16 (Source: P.A. 90-495, eff. 1-1-98.)

17 (10 ILCS 5/9-6) (from Ch. 46, par. 9-6)

18 Sec. 9-6. Accounting for contributions.

19 (a) A ~~Every~~ person who collects or accepts ~~receives~~ a
20 contribution ~~in excess of \$20~~ for a political committee shall,
21 ~~on demand of the treasurer, and in any event~~ within 5 days
22 after receipt of such contribution, submit ~~render~~ to the
23 treasurer a detailed account of the contribution ~~thereof~~,
24 including (i) the amount, (ii) the name and address of the
25 person making such contribution, (iii) ~~and~~ the date on which

1 the contribution ~~it~~ was received, and (iv) the name and address
2 of the person collecting or accepting the contribution for the
3 political committee. A political committee shall disclose on
4 the quarterly statement the name, address, and occupation of
5 any person who collects or accepts contributions from at least
6 5 persons in the aggregate of \$3,000 or more outside of the
7 presence of a candidate or not in connection with a fundraising
8 event sanctioned or coordinated by the political committee
9 during a reporting period. This subsection does not apply to a
10 person who is an officer of the committee, a compensated
11 employee, a person authorized by an officer or the candidate of
12 a committee to accept contributions on behalf of the committee,
13 or an entity used for processing financial transactions by
14 credit card or other means.

15 (b) Within 5 business days of contributing goods or
16 services ~~of more than \$50 value~~ to a political committee, the
17 contributor shall submit to the treasurer a detailed account of
18 the contribution, including (i) the name and address of the
19 person making the contribution, (ii) ~~certify the value of the~~
20 ~~contribution to the political committee on forms prescribed by~~
21 ~~the State Board of Elections. The forms shall include the name~~
22 ~~and address of the contributor,~~ a description and market value
23 of the goods or services, and (iii) the date on which the
24 contribution was made.

25 (c) All funds of a political committee shall be segregated
26 from, and may not be commingled with, any personal funds of

1 officers, members, or associates of such committee.

2 (Source: P.A. 90-737, eff. 1-1-99.)

3 (10 ILCS 5/9-7) (from Ch. 46, par. 9-7)

4 Sec. 9-7. The treasurer of a political committee shall keep
5 a detailed and exact account of-

6 (a) the total of all contributions made to or for the
7 committee;

8 (b) the full name and mailing address of every person
9 making a contribution ~~in excess of \$20~~ and the date and amount
10 thereof;

11 (c) the total of all expenditures made by or on behalf of
12 the committee;

13 (d) the full name and mailing address of every person to
14 whom any expenditure ~~in excess of \$20~~ is made, and the date and
15 amount thereof;

16 (e) proof of payment, stating the particulars, for every
17 expenditure ~~in excess of \$20~~ made by or on behalf of the
18 committee.

19 The treasurer shall preserve all records and accounts
20 required by this section for a period of 2 years.

21 (Source: P.A. 79-293.)

22 (10 ILCS 5/9-8) (from Ch. 46, par. 9-8)

23 Sec. 9-8. Any political committee which solicits or
24 receives contributions or makes expenditures on behalf of any

1 candidate that is not authorized in writing by such candidate
2 to do so shall include a notice on the face or front page of all
3 literature and advertisements published and following all
4 commercials broadcast, that are authorized by the committee and
5 that mention the candidate, ~~in connection with such candidate's~~
6 ~~campaign by such committee or on its behalf~~ stating that the
7 committee is not authorized by such candidate and that such
8 candidate is not responsible for the activities of such
9 committee.

10 (Source: P.A. 78-1183.)

11 (10 ILCS 5/9-8.5 new)

12 Sec. 9-8.5. Limitations on campaign contributions.

13 (a) It is unlawful for a political committee to accept
14 contributions except as provided in this Section.

15 (b) During an election cycle, a candidate political
16 committee may not accept contributions with an aggregate value
17 over the following: (i) \$5,000 from any individual, (ii)
18 \$10,000 from any corporation, labor organization, or
19 association, or (iii) \$50,000 from a candidate political
20 committee or political action committee. A candidate political
21 committee may accept contributions in any amount from a
22 political party committee except during an election cycle in
23 which the candidate seeks nomination at a primary election.
24 During an election cycle in which the candidate seeks
25 nomination at a primary election, a candidate political

1 committee may not accept contributions from political party
2 committees with an aggregate value over the following: (i)
3 \$200,000 for a candidate political committee established to
4 support a candidate seeking nomination to statewide office,
5 (ii) \$125,000 for a candidate political committee established
6 to support a candidate seeking nomination to the Senate, the
7 Supreme Court or Appellate Court in the First Judicial
8 District, or an office elected by all voters in a county with
9 1,000,000 or more residents, (iii) \$75,000 for a candidate
10 political committee established to support a candidate seeking
11 nomination to the House of Representatives, the Supreme Court
12 or Appellate Court for a Judicial District other than the First
13 Judicial District, an office elected by all voters of a county
14 of fewer than 1,000,000 residents, and municipal and county
15 offices in Cook County other than those elected by all voters
16 of Cook County, and (iv) \$50,000 for a candidate political
17 committee established to support the nomination of a candidate
18 to any other office. A candidate political committee
19 established to elect a candidate to the General Assembly may
20 accept contributions from only one legislative caucus
21 committee. A candidate political committee may not accept
22 contributions from a ballot initiative committee.

23 (c) During an election cycle, a political party committee
24 may not accept contributions with an aggregate value over the
25 following: (i) \$10,000 from any individual, (ii) \$20,000 from
26 any corporation, labor organization, or association, or (iii)

1 \$50,000 from a political action committee. A political party
2 committee may accept contributions in any amount from another
3 political party committee or a candidate political committee,
4 except as provided in subsection (c-5). Nothing in this Section
5 shall limit the amounts that may be transferred between a State
6 political committee and federal political committee. A
7 political party committee may not accept contributions from a
8 ballot initiative committee. A political party committee
9 established by a legislative caucus may not accept
10 contributions from another political party committee
11 established by a legislative caucus.

12 (c-5) During the period beginning on the date candidates
13 may begin circulating petitions for a primary election and
14 ending on the day of the primary election, a political party
15 committee may not accept contributions with an aggregate value
16 over \$50,000 from a candidate political committee or political
17 party committee. A political party committee may accept
18 contributions in any amount from a candidate political
19 committee or political party committee if the political party
20 committee receiving the contribution filed a statement of
21 nonparticipation in the primary as provided in subsection
22 (c-10). The Task Force on Campaign Finance Reform shall study
23 and make recommendations on the provisions of this subsection
24 to the Governor and General Assembly by September 30, 2012.
25 This subsection becomes inoperative on July 1, 2013 and
26 thereafter no longer applies.

1 (c-10) A political party committee that does not intend to
2 make contributions to candidates to be nominated at a general
3 primary election or consolidated primary election may file a
4 Statement of Nonparticipation in a Primary Election with the
5 Board. The Statement of Nonparticipation shall include a
6 verification signed by the chairperson and treasurer of the
7 committee that (i) the committee will not make contributions or
8 coordinated expenditures in support of or opposition to a
9 candidate or candidates to be nominated at the general primary
10 election or consolidated primary election (select one) to be
11 held on (insert date), (ii) the political party committee may
12 accept unlimited contributions from candidate political
13 committees and political party committees, provided that the
14 political party committee does not make contributions to a
15 candidate or candidates to be nominated at the primary
16 election, and (iii) failure to abide by these requirements
17 shall deem the political party committee in violation of this
18 Article and subject the committee to a fine of no more than
19 150% of the total contributions or coordinated expenditures
20 made by the committee in violation of this Article. This
21 subsection becomes inoperative on July 1, 2013 and thereafter
22 no longer applies.

23 (d) During an election cycle, a political action committee
24 may not accept contributions with an aggregate value over the
25 following: (i) \$10,000 from any individual, (ii) \$20,000 from
26 any corporation, labor organization, political party

1 committee, or association, or (iii) \$50,000 from a political
2 action committee or candidate political committee. A political
3 action committee may not accept contributions from a ballot
4 initiative committee.

5 (e) A ballot initiative committee may accept contributions
6 in any amount from any source, provided that the committee
7 files the document required by Section 9-3 of this Article.

8 (f) Nothing in this Section shall prohibit a political
9 committee from dividing the proceeds of joint fundraising
10 efforts; provided that no political committee may receive more
11 than the limit from any one contributor.

12 (g) On January 1 of each odd-numbered year, the State Board
13 of Elections shall adjust the amounts of the contribution
14 limitations established in this Section for inflation as
15 determined by the Consumer Price Index for All Urban Consumers
16 as issued by the United States Department of Labor and rounded
17 to the nearest \$100. The State Board shall publish this
18 information on its official website.

19 (h) Self-funding candidates. If a public official, a
20 candidate, or the public official's or candidate's immediate
21 family contributes or loans to the public official's or
22 candidate's political committee or to other political
23 committees that transfer funds to the public official's or
24 candidate's political committee or makes independent
25 expenditures for the benefit of the public official's or
26 candidate's campaign during the 12 months prior to an election

1 in an aggregate amount of more than (i) \$250,000 for statewide
2 office or (ii) \$100,000 for all other elective offices, then
3 the public official or candidate shall file with the State
4 Board of Elections, within one day, a Notification of
5 Self-funding that shall detail each contribution or loan made
6 by the public official, the candidate, or the public official's
7 or candidate's immediate family. Within 2 business days after
8 the filing of a Notification of Self-funding, the notification
9 shall be posted on the Board's website and the Board shall give
10 official notice of the filing to each candidate for the same
11 office as the public official or candidate making the filing,
12 including the public official or candidate filing the
13 Notification of Self-funding. Upon receiving notice from the
14 Board, all candidates for that office, including the public
15 official or candidate who filed a Notification of Self-funding,
16 shall be permitted to accept contributions in excess of any
17 contribution limits imposed by subsection (b). For the purposes
18 of this subsection, "immediate family" means the spouse,
19 parent, or child of a public official or candidate.

20 (i) For the purposes of this Section, a corporation, labor
21 organization, association, or a political action committee
22 established by a corporation, labor organization, or
23 association may act as a conduit in facilitating the delivery
24 to a political action committee of contributions made through
25 dues, levies, or similar assessments and the political action
26 committee may report the contributions in the aggregate,

1 provided that: (i) the dues, levies, or similar assessments
2 paid by any natural person, corporation, labor organization, or
3 association in a calendar year may not exceed the limits set
4 forth in this Section and (ii) the corporation, labor
5 organization, association, or a political action committee
6 established by a corporation, labor organization, or
7 association facilitating the delivery of contributions
8 maintains a list of natural persons, corporations, labor
9 organizations, and associations that paid the dues, levies, or
10 similar assessments from which the contributions comprising
11 the aggregate amount derive. A political action committee
12 facilitating the delivery of contributions or receiving
13 contributions shall disclose the amount of dues delivered or
14 received and the name of the corporation, labor organization,
15 association, or political action committee delivering the
16 contributions, if applicable.

17 (j) A political committee that receives a contribution or
18 transfer in violation of this Section shall dispose of the
19 contribution or transfer by returning the contribution or
20 transfer, or an amount equal to the contribution or transfer,
21 to the contributor or transferor or donating the contribution
22 or transfer, or an amount equal to the contribution or
23 transfer, to a charity. A contribution or transfer received in
24 violation of this Section that is not disposed of as provided
25 in this subsection within 15 days after its receipt shall
26 escheat to the General Revenue Fund and the political committee

1 shall be deemed in violation of this Section and subject to a
2 civil penalty not to exceed 150% of the total amount of the
3 contribution.

4 (k) For the purposes of this Section, "statewide office"
5 means the Governor, Lieutenant Governor, Attorney General,
6 Secretary of State, Comptroller, and Treasurer.

7 (l) This Section is repealed if and when the United States
8 Supreme Court invalidates contribution limits on committees
9 formed to assist candidates, political parties, corporations,
10 associations, or labor organizations established by or
11 pursuant to federal law.

12 (10 ILCS 5/9-8.6 new)

13 Sec. 9-8.6. Independent expenditures.

14 (a) An independent expenditure is not considered a
15 contribution to a political committee. An expenditure made by a
16 natural person or political committee for an electioneering
17 communication in connection, consultation, or concert with or
18 at the request or suggestion of the public official or
19 candidate, the public official's or candidate's candidate
20 political committee, or the agent or agents of the public
21 official, candidate, or political committee or campaign shall
22 not be considered an independent expenditure but rather shall
23 be considered a contribution to the public official's or
24 candidate's candidate political committee.

25 A natural person who makes an independent expenditure

1 supporting or opposing a public official or candidate that,
2 alone or in combination with any other independent expenditure
3 made by that natural person supporting or opposing that public
4 official or candidate during any 12-month period, equals an
5 aggregate value of at least \$3,000 must file a written
6 disclosure with the State Board of Elections within 2 business
7 days after making any expenditure that results in the natural
8 person meeting or exceeding the \$3,000 threshold. Each
9 disclosure must identify the natural person, the public
10 official or candidate supported or opposed, the date, amount,
11 and nature of each independent expenditure, and the natural
12 person's occupation and employer.

13 (b) Any entity other than a natural person that makes
14 expenditures of any kind in an aggregate amount exceeding
15 \$3,000 during any 12-month period supporting or opposing a
16 public official or candidate must organize as a political
17 committee in accordance with this Article.

18 (c) Every political committee that makes independent
19 expenditures must report all such independent expenditures as
20 required under Section 9-10 of this Article.

21 (10 ILCS 5/9-9) (from Ch. 46, par. 9-9)

22 Sec. 9-9. Any ~~State~~ political committee shall include on
23 all literature and advertisements soliciting funds the
24 following notice:

25 "A copy of our report filed with the State Board of

1 Elections is (or will be) available on the Board's official
2 website (insert the current website address) or for purchase
3 from the State Board of Elections, Springfield, Illinois."

4 ~~Any local political committee shall include on all~~
5 ~~literature and advertisements soliciting funds the following~~
6 ~~notice:~~

7 ~~"A copy of our report filed with the county clerk is (or~~
8 ~~will be) available for purchase from the county clerk, (county~~
9 ~~clerk's address), Illinois."~~

10 ~~Any political committee that acts as both a state political~~
11 ~~committee and a local political committee shall include on all~~
12 ~~literature and advertisements soliciting funds the following~~
13 ~~notice:~~

14 ~~"A copy of our report filed with the State Board of~~
15 ~~Elections and the county clerk is (or will be) available for~~
16 ~~purchase from the State Board of Elections, Springfield,~~
17 ~~Illinois, and from the county clerk, (county clerk's address),~~
18 ~~Illinois."~~

19 (Source: P.A. 83-259.)

20 (10 ILCS 5/9-10) (from Ch. 46, par. 9-10)

21 Sec. 9-10. Disclosure of contributions and expenditures
22 ~~Financial reports.~~

23 (a) The treasurer of every ~~state~~ political committee ~~and~~
24 ~~the treasurer of every local political committee~~ shall file
25 with the Board, ~~and the treasurer of every local political~~

1 ~~committee shall file with the county clerk,~~ reports of campaign
2 ~~contributions, and semi-annual reports of campaign~~
3 ~~contributions~~ and expenditures as required by this Section on
4 forms to be prescribed or approved by the Board. ~~The treasurer~~
5 ~~of every political committee that acts as both a state~~
6 ~~political committee and a local political committee shall file~~
7 ~~a copy of each report with the State Board of Elections and the~~
8 ~~county clerk. Entities subject to Section 9-7.5 shall file~~
9 ~~reports required by that Section at times provided in this~~
10 ~~Section and are subject to the penalties provided in this~~
11 ~~Section.~~

12 (b) Every political committee shall file quarterly reports
13 of campaign contributions, expenditures, and independent
14 expenditures. The reports shall cover the period January 1
15 through March 31, April 1 through June 30, July 1 through
16 September 30, and October 1 through December 31 of each year. A
17 political committee shall file quarterly reports no later than
18 the 15th day of the month following each period. Reports of
19 contributions and expenditures must be filed to cover the
20 prescribed time periods even though no contributions or
21 expenditures may have been received or made during the period.
22 The Board shall assess a civil penalty not to exceed \$5,000 for
23 failure to file a report required by this subsection. The fine,
24 however, shall not exceed \$1,000 for a first violation if the
25 committee files less than 10 days after the deadline. There
26 shall be no fine if the report is mailed and postmarked at

1 least 72 hours prior to the filing deadline. When considering
2 the amount of the fine to be imposed, the Board shall consider
3 whether the violation was committed inadvertently,
4 negligently, knowingly, or intentionally and any past
5 violations of this Section.

6 (c) A political committee shall file a report of any
7 contribution of \$1,000 or more electronically with the Board
8 within 5 business days after receipt of the contribution,
9 except that the report shall be filed within 2 business days
10 after receipt if (i) the contribution is received 30 or fewer
11 days before the date of an election and (ii) the political
12 committee supports or opposes a candidate or public question on
13 the ballot at that election or makes expenditures in excess of
14 \$500 on behalf of or in opposition to a candidate, candidates,
15 a public question, or public questions on the ballot at that
16 election. The State Board shall allow filings of reports of
17 contributions of \$1,000 or more by political committees that
18 are not required to file electronically to be made by facsimile
19 transmission. The Board shall assess a civil penalty for
20 failure to file a report required by this subsection. Failure
21 to report each contribution is a separate violation of this
22 subsection. The Board shall impose fines for willful or wanton
23 violations of this subsection (c) not to exceed 150% of the
24 total amount of the contributions that were untimely reported,
25 but in no case shall it be less than 10% of the total amount of
26 the contributions that were untimely reported. When

1 considering the amount of the fine to be imposed for willful or
2 wanton violations, the Board shall consider the number of days
3 the contribution was reported late and past violations of this
4 Section and Section 9-3. The Board may impose a fine for
5 negligent or inadvertent violations of this subsection not to
6 exceed 50% of the total amount of the contributions that were
7 untimely reported, or the Board may waive the fine. When
8 considering whether to impose a fine and the amount of the
9 fine, the Board shall consider the following factors: (1)
10 whether the political committee made an attempt to disclose the
11 contribution and any attempts made to correct the violation,
12 (2) whether the violation is attributed to a clerical or
13 computer error, (3) the amount of the contribution, (4) whether
14 the violation arose from a discrepancy between the date the
15 contribution was reported transferred by a political committee
16 and the date the contribution was received by a political
17 committee, (5) the number of days the contribution was reported
18 late, and (6) past violations of this Section and Section 9-3
19 by the political committee.

20 (d) For the purpose of this Section, a contribution is
21 considered received on the date (i) a monetary contribution was
22 deposited in a bank, financial institution, or other repository
23 of funds for the committee, (ii) the date a committee receives
24 notice a monetary contribution was deposited by an entity used
25 to process financial transactions by credit card or other
26 entity used for processing a monetary contribution that was

1 deposited in a bank, financial institution, or other repository
2 of funds for the committee, or (iii) the public official,
3 candidate, or political committee receives the notification of
4 contribution of goods or services as required under subsection
5 (b) of Section 9-6.

6 (e) A political committee that makes independent
7 expenditures of \$1,000 or more during the period 30 days or
8 fewer before an election shall electronically file a report
9 with the Board within 5 business days after making the
10 independent expenditure. The report shall contain the
11 information required in Section 9-11(c) of this Article. This
12 subsection does not apply with respect to general primary
13 elections. Reports of campaign contributions shall be filed no
14 later than the 15th day next preceding each election in
15 connection with which the political committee has accepted or
16 is accepting contributions or has made or is making
17 expenditures. Such reports shall be complete as of the 30th day
18 next preceding each election. The Board shall assess a civil
19 penalty not to exceed \$5,000 for a violation of this
20 subsection, except that for State officers and candidates and
21 political committees formed for statewide office, the civil
22 penalty may not exceed \$10,000. The fine, however, shall not
23 exceed \$500 for a first filing violation for filing less than
24 10 days after the deadline. There shall be no fine if the
25 report is mailed and postmarked at least 72 hours prior to the
26 filing deadline. For the purpose of this subsection, "statewide

1 ~~office" and "State officer" means the Governor, Lieutenant~~
2 ~~Governor, Attorney General, Secretary of State, Comptroller,~~
3 ~~and Treasurer. However, a continuing political committee that~~
4 ~~does not make an expenditure or expenditures in an aggregate~~
5 ~~amount of more than \$500 on behalf of or in opposition to any~~
6 ~~(i) candidate or candidates, (ii) public question or questions,~~
7 ~~or (iii) candidate or candidates and public question or~~
8 ~~questions on the ballot at an election shall not be required to~~
9 ~~file the reports prescribed in this subsection (b) and~~
10 ~~subsection (b 5) but may file in lieu thereof a Statement of~~
11 ~~Nonparticipation in the Election with the Board or the Board~~
12 ~~and the county clerk ; except that if the political committee,~~
13 ~~by the terms of its statement of organization filed in~~
14 ~~accordance with this Article, is organized to support or oppose~~
15 ~~a candidate or public question on the ballot at the next~~
16 ~~election or primary, that committee must file reports required~~
17 ~~by this subsection (b) and by subsection (b 5).~~

18 ~~(b 5) Notwithstanding the provisions of subsection (b) and~~
19 ~~Section 1.25 of the Statute on Statutes, any contribution of~~
20 ~~more than \$500 received (i) with respect to elections other~~
21 ~~than the general primary election, in the interim between the~~
22 ~~last date of the period covered by the last report filed under~~
23 ~~subsection (b) prior to the election and the date of the~~
24 ~~election or (ii) with respect to general primary elections, in~~
25 ~~the period beginning January 1 of the year of the general~~
26 ~~primary election and prior to the date of the general primary~~

1 ~~election shall be filed with and must actually be received by~~
2 ~~the State Board of Elections within 2 business days after~~
3 ~~receipt of such contribution. A continuing political committee~~
4 ~~that does not support or oppose a candidate or public question~~
5 ~~on the ballot at a general primary election and does not make~~
6 ~~expenditures in excess of \$500 on behalf of or in opposition to~~
7 ~~any candidate or public question on the ballot at the general~~
8 ~~primary election shall not be required to file the report~~
9 ~~prescribed in this subsection unless the committee makes an~~
10 ~~expenditure in excess of \$500 on behalf of or in opposition to~~
11 ~~any candidate or public question on the ballot at the general~~
12 ~~primary election. The committee shall timely file the report~~
13 ~~required under this subsection beginning with the date the~~
14 ~~expenditure that triggered participation was made. The State~~
15 ~~Board shall allow filings of reports of contributions of more~~
16 ~~than \$500 under this subsection (b 5) by political committees~~
17 ~~that are not required to file electronically to be made by~~
18 ~~facsimile transmission. For the purpose of this subsection, a~~
19 ~~contribution is considered received on the date the public~~
20 ~~official, candidate, or political committee (or equivalent~~
21 ~~person in the case of a reporting entity other than a political~~
22 ~~committee) actually receives it or, in the case of goods or~~
23 ~~services, 2 business days after the date the public official,~~
24 ~~candidate, committee, or other reporting entity receives the~~
25 ~~certification required under subsection (b) of Section 9-6.~~
26 ~~Failure to report each contribution is a separate violation of~~

1 ~~this subsection. In the final disposition of any matter by the~~
2 ~~Board on or after the effective date of this amendatory Act of~~
3 ~~the 93rd General Assembly, the Board may impose fines for~~
4 ~~violations of this subsection not to exceed 100% of the total~~
5 ~~amount of the contributions that were untimely reported, but in~~
6 ~~no case when a fine is imposed shall it be less than 10% of the~~
7 ~~total amount of the contributions that were untimely reported.~~
8 ~~When considering the amount of the fine to be imposed, the~~
9 ~~Board shall consider, but is not limited to, the following~~
10 ~~factors:~~

11 ~~(1) whether in the Board's opinion the violation was~~
12 ~~committed inadvertently, negligently, knowingly, or~~
13 ~~intentionally;~~

14 ~~(2) the number of days the contribution was reported~~
15 ~~late; and~~

16 ~~(3) past violations of Sections 9-3 and 9-10 of this~~
17 ~~Article by the committee.~~

18 ~~(c) In addition to such reports the treasurer of every~~
19 ~~political committee shall file semi annual reports of campaign~~
20 ~~contributions and expenditures no later than July 20th,~~
21 ~~covering the period from January 1st through June 30th~~
22 ~~immediately preceding, and no later than January 20th, covering~~
23 ~~the period from July 1st through December 31st of the preceding~~
24 ~~calendar year. Reports of contributions and expenditures must~~
25 ~~be filed to cover the prescribed time periods even though no~~
26 ~~contributions or expenditures may have been received or made~~

1 ~~during the period. The Board shall assess a civil penalty not~~
2 ~~to exceed \$5,000 for a violation of this subsection, except~~
3 ~~that for State officers and candidates and political committees~~
4 ~~formed for statewide office, the civil penalty may not exceed~~
5 ~~\$10,000. The fine, however, shall not exceed \$500 for a first~~
6 ~~filing violation for filing less than 10 days after the~~
7 ~~deadline. There shall be no fine if the report is mailed and~~
8 ~~postmarked at least 72 hours prior to the filing deadline. For~~
9 ~~the purpose of this subsection, "statewide office" and "State~~
10 ~~officer" means the Governor, Lieutenant Governor, Attorney~~
11 ~~General, Secretary of State, Comptroller, and Treasurer.~~

12 ~~(e-5) A political committee that acts as either (i) a State~~
13 ~~and local political committee or (ii) a local political~~
14 ~~committee and that files reports electronically under Section~~
15 ~~9-28 is not required to file copies of the reports with the~~
16 ~~appropriate county clerk if the county clerk has a system that~~
17 ~~permits access to, and duplication of, reports that are filed~~
18 ~~with the State Board of Elections. A State and local political~~
19 ~~committee or a local political committee shall file with the~~
20 ~~county clerk a copy of its statement of organization pursuant~~
21 ~~to Section 9-3.~~

22 (f) ~~(d)~~ A copy of each report or statement filed under this
23 Article shall be preserved by the person filing it for a period
24 of two years from the date of filing.

25 (Source: P.A. 94-645, eff. 8-22-05; 95-6, eff. 6-20-07; 95-957,
26 eff. 1-1-09.)

1 (10 ILCS 5/9-11) (from Ch. 46, par. 9-11)

2 Sec. 9-11. Financial reports.

3 (a) Each quarterly report of campaign contributions,
4 expenditures, and independent expenditures under Section 9-10
5 shall disclose the following:

6 (1) the name and address of the political committee;

7 (2) the name and address of the person submitting the
8 report on behalf of the committee, if other than the
9 chairman or treasurer;

10 (3) the amount of funds on hand at the beginning of the
11 reporting period;

12 (4) the full name and mailing address of each person
13 who has made one or more contributions to or for the
14 committee within the reporting period in an aggregate
15 amount or value in excess of \$150, together with the
16 amounts and dates of those contributions, and, if the
17 contributor is an individual who contributed more than
18 \$500, the occupation and employer of the contributor or, if
19 the occupation and employer of the contributor are unknown,
20 a statement that the committee has made a good faith effort
21 to ascertain this information;

22 (5) the total sum of individual contributions made to
23 or for the committee during the reporting period and not
24 reported under item (4);

25 (6) the name and address of each political committee

1 from which the reporting committee received, or to which
2 that committee made, any transfer of funds in the aggregate
3 amount or value in excess of \$150, together with the
4 amounts and dates of all transfers;

5 (7) the total sum of transfers made to or from the
6 committee during the reporting period and not reported
7 under item (6);

8 (8) each loan to or from any person, political
9 committee, or financial institution within the reporting
10 period by or to the committee in an aggregate amount or
11 value in excess of \$150, together with the full names and
12 mailing addresses of the lender and endorsers, if any; the
13 dates and amounts of the loans; and, if a lender or
14 endorser is an individual who loaned or endorsed a loan of
15 more than \$500, the occupation and employer of that
16 individual or, if the occupation and employer of the
17 individual are unknown, a statement that the committee has
18 made a good faith effort to ascertain this information;

19 (9) the total amount of proceeds received by the
20 committee from (i) the sale of tickets for each dinner,
21 luncheon, cocktail party, rally, and other fund-raising
22 events; (ii) mass collections made at those events; and
23 (iii) sales of items such as political campaign pins,
24 buttons, badges, flags, emblems, hats, banners,
25 literature, and similar materials;

26 (10) each contribution, rebate, refund, income from

1 investments, or other receipt in excess of \$150 received by
2 the committee not otherwise listed under items (4) through
3 (9) and, if the contributor is an individual who
4 contributed more than \$500, the occupation and employer of
5 the contributor or, if the occupation and employer of the
6 contributor are unknown, a statement that the committee has
7 made a good faith effort to ascertain this information;

8 (11) the total sum of all receipts by or for the
9 committee or candidate during the reporting period;

10 (12) the full name and mailing address of each person
11 to whom expenditures have been made by the committee or
12 candidate within the reporting period in an aggregate
13 amount or value in excess of \$150; the amount, date, and
14 purpose of each of those expenditures; and the question of
15 public policy or the name and address of, and the office
16 sought by, each candidate on whose behalf that expenditure
17 was made;

18 (13) the full name and mailing address of each person
19 to whom an expenditure for personal services, salaries, and
20 reimbursed expenses in excess of \$150 has been made and
21 that is not otherwise reported, including the amount, date,
22 and purpose of the expenditure;

23 (14) the value of each asset held as an investment, as
24 of the final day of the reporting period;

25 (15) the total sum of expenditures made by the
26 committee during the reporting period; and

1 (16) the full name and mailing address of each person
2 to whom the committee owes debts or obligations in excess
3 of \$150 and the amount of those debts or obligations.

4 For purposes of reporting campaign receipts and expenses,
5 income from investments shall be included as receipts during
6 the reporting period they are actually received. The gross
7 purchase price of each investment shall be reported as an
8 expenditure at time of purchase. Net proceeds from the sale of
9 an investment shall be reported as a receipt. During the period
10 investments are held they shall be identified by name and
11 quantity of security or instrument on each semi-annual report
12 during the period.

13 (b) Each report of a campaign contribution of \$1,000 or
14 more required ~~contributions~~ under subsection (c) of Section
15 9-10 shall disclose the following:-

16 (1) the name and address of the political committee;

17 (2) the name and address of the person submitting the
18 report on behalf of the committee, if other than the
19 chairman or treasurer ~~(Blank)~~; and

20 ~~(3) the amount of funds on hand at the beginning of the~~
21 ~~reporting period;~~

22 (3) ~~(4)~~ the full name and mailing address of each
23 person who has made a contribution of \$1,000 or more. ~~one~~
24 ~~or more contributions to or for such committee within the~~
25 ~~reporting period in an aggregate amount or value in excess~~
26 ~~of \$150, together with the amount and date of such~~

1 ~~contributions, and if a contributor is an individual who~~
2 ~~contributed more than \$500, the occupation and employer of~~
3 ~~the contributor or, if the occupation and employer of the~~
4 ~~contributor are unknown, a statement that the committee has~~
5 ~~made a good faith effort to ascertain this information;~~

6 ~~(5) the total sum of individual contributions made to~~
7 ~~or for such committee during the reporting period and not~~
8 ~~reported under item (4);~~

9 ~~(6) the name and address of each political committee~~
10 ~~from which the reporting committee received, or to which~~
11 ~~that committee made, any transfer of funds, in any~~
12 ~~aggregate amount or value in excess of \$150, together with~~
13 ~~the amounts and dates of all transfers;~~

14 ~~(7) the total sum of transfers made to or from such~~
15 ~~committee during the reporting period and not reported~~
16 ~~under item (6);~~

17 ~~(8) each loan to or from any person within the~~
18 ~~reporting period by or to such committee in an aggregate~~
19 ~~amount or value in excess of \$150, together with the full~~
20 ~~names and mailing addresses of the lender and endorsers, if~~
21 ~~any, and the date and amount of such loans, and if a lender~~
22 ~~or endorser is an individual who loaned or endorsed a loan~~
23 ~~of more than \$500, the occupation and employer of that~~
24 ~~individual, or if the occupation and employer of the~~
25 ~~individual are unknown, a statement that the committee has~~
26 ~~made a good faith effort to ascertain this information;~~

1 ~~(9) the total amount of proceeds received by such~~
2 ~~committee from (a) the sale of tickets for each dinner,~~
3 ~~luncheon, cocktail party, rally, and other fund raising~~
4 ~~events; (b) mass collections made at such events; and (c)~~
5 ~~sales of items such as political campaign pins, buttons,~~
6 ~~badges, flags, emblems, hats, banners, literature, and~~
7 ~~similar materials;~~

8 ~~(10) each contribution, rebate, refund, or other~~
9 ~~receipt in excess of \$150 received by such committee not~~
10 ~~otherwise listed under items (4) through (9), and if a~~
11 ~~contributor is an individual who contributed more than~~
12 ~~\$500, the occupation and employer of the contributor or, if~~
13 ~~the occupation and employer of the contributor are unknown,~~
14 ~~a statement that the committee has made a good faith effort~~
15 ~~to ascertain this information;~~

16 ~~(11) the total sum of all receipts by or for such~~
17 ~~committee or candidate during the reporting period.~~

18 (c) Each quarterly report shall include the following
19 information regarding any independent expenditures made during
20 the reporting period: (1) the full name and mailing address of
21 each person to whom an expenditure in excess of \$150 has been
22 made in connection with an independent expenditure; (2) the
23 amount, date, and purpose of such expenditure; (3) a statement
24 whether the independent expenditure was in support of or in
25 opposition to a particular candidate; (4) the name of the
26 candidate; (5) the office and, when applicable, district,

1 sought by the candidate; and (6) a certification, under penalty
2 of perjury, that such expenditure was not made in cooperation,
3 consultation, or concert with, or at the request or suggestion
4 of, any candidate or any authorized committee or agent of such
5 committee. The report shall also include (I) the total of all
6 independent expenditures of \$150 or less made during the
7 reporting period and (II) the total amount of all independent
8 expenditures made during the reporting period.

9 (d) The Board shall by rule define a "good faith effort".

10 The reports of campaign contributions filed under this
11 Article shall be cumulative during the reporting period to
12 which they relate.

13 (e) Each report shall be verified, dated, and signed by
14 either the treasurer of the political committee or the
15 candidate on whose behalf the report is filed and shall contain
16 the following verification:

17 "I declare that this report (including any accompanying
18 schedules and statements) has been examined by me and, to the
19 best of my knowledge and belief, is a true, correct, and
20 complete report as required by Article 9 of the Election Code.
21 I understand that willfully filing a false or incomplete
22 statement is subject to a civil penalty of up to \$5,000."

23 (f) A political committee may amend a report filed under
24 subsection (a) or (b). The Board may reduce or waive a fine if
25 the amendment is due to a technical or inadvertent error and
26 the political committee files the amended report, except that a

1 report filed under subsection (b) must be amended within 5
2 business days. The State Board shall ensure that a description
3 of the amended information is available to the public. The
4 Board may promulgate rules to enforce this subsection.

5 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

6 (10 ILCS 5/9-13) (from Ch. 46, par. 9-13)

7 Sec. 9-13. Audits of political committees.

8 (a) The Board shall have the authority to order a political
9 committee to conduct an audit of the financial records required
10 to be maintained by the committee to ensure compliance with
11 Sections 9-8.5 and 9-10. Audits ordered by the Board shall be
12 conducted as provided in this Section and as provided by Board
13 rule.

14 (b) The Board may order a political committee to conduct an
15 audit of its financial records for any of the following
16 reasons: (i) a discrepancy between the ending balance of a
17 reporting period and the beginning balance of the next
18 reporting period, (ii) failure to account for previously
19 reported investments or loans, or (iii) a discrepancy between
20 reporting contributions received by or expenditures made for a
21 political committee that are reported by another political
22 committee, except the Board shall not order an audit pursuant
23 to this item (iii) unless there is a willful pattern of
24 inaccurate reporting or there is a pattern of similar
25 inaccurate reporting involving similar contributions by the

1 same contributor. Prior to ordering an audit, the Board shall
2 afford the political committee due notice and an opportunity
3 for a closed preliminary hearing. A political committee shall
4 hire an entity qualified to perform an audit; except, a
5 political committee shall not hire a person that has
6 contributed to the political committee during the previous 4
7 years.

8 (c) In each calendar year, the Board shall randomly order
9 no more than 3% of registered political committees to conduct
10 an audit. The Board shall establish a standard, scientific
11 method of selecting the political committees that are to be
12 audited so that every political committee has an equal
13 mathematical chance of being selected.

14 (d) Upon receipt of notification from the Board ordering an
15 audit, a political committee shall conduct an audit of the
16 financial records required to be maintained by the committee to
17 ensure compliance with the contribution limitations
18 established in Section 9-8.5 and the reporting requirements
19 established in Section 9-3 and Section 9-10 for a period of 2
20 years or the period since the committee was previously ordered
21 to conduct an audit, whichever is shorter. The entity
22 performing the audit shall review the amount of funds and
23 investments maintained by the political committee and ensure
24 the financial records accurately account for any contributions
25 and expenditures made by the political committee. A certified
26 copy of the audit shall be delivered to the Board within 60

1 calendar days after receipt of notice from the Board, unless
2 the Board grants an extension to complete the audit. A
3 political committee ordered to conduct an audit through the
4 random selection process shall not be required to conduct
5 another audit for a minimum of 5 years unless the Board has
6 reason to believe the political committee is in violation of
7 Section 9-3, 9-8.5, or 9-10.

8 (e) The Board shall not disclose the name of any political
9 committee ordered to conduct an audit or any documents in
10 possession of the Board related to an audit unless, after
11 review of the audit findings, the Board has reason to believe
12 the political committee is in violation of Section 9-3, 9-8.5,
13 or 9-10 and the Board imposed a fine.

14 (f) Failure to deliver a certified audit in a timely manner
15 is a business offense punishable by a fine of \$250 per day that
16 the audit is late, up to a maximum of \$5,000.

17 ~~Each semi annual report of campaign contributions and~~
18 ~~expenditures under Section 9-10 shall disclose~~

19 ~~(1) the name and address of the political committee;~~

20 ~~(2) (Blank);~~

21 ~~(3) the amount of funds on hand at the beginning of the~~
22 ~~reporting period;~~

23 ~~(4) the full name and mailing address of each person who~~
24 ~~has made one or more contributions to or for such committee~~
25 ~~within the reporting period in an aggregate amount or value in~~
26 ~~excess of \$150, together with the amount and date of such~~

1 ~~contributions, and if the contributor is an individual who~~
2 ~~contributed more than \$500, the occupation and employer of the~~
3 ~~contributor or, if the occupation and employer of the~~
4 ~~contributor are unknown, a statement that the committee has~~
5 ~~made a good faith effort to ascertain this information;~~

6 ~~(5) the total sum of individual contributions made to or~~
7 ~~for such committee during the reporting period and not reported~~
8 ~~under item (4);~~

9 ~~(6) the name and address of each political committee from~~
10 ~~which the reporting committee received, or to which that~~
11 ~~committee made, any transfer of funds, in the aggregate amount~~
12 ~~or value in excess of \$150, together with the amounts and dates~~
13 ~~of all transfers;~~

14 ~~(7) the total sum of transfers made to or from such~~
15 ~~committee during the reporting period and not reported under~~
16 ~~item (6);~~

17 ~~(8) each loan to or from any person within the reporting~~
18 ~~period by or to such committee in an aggregate amount or value~~
19 ~~in excess of \$150, together with the full names and mailing~~
20 ~~addresses of the lender and endorsers, if any, and the date and~~
21 ~~amount of such loans, and if a lender or endorser is an~~
22 ~~individual who loaned or endorsed a loan of more than \$500, the~~
23 ~~occupation and employer of that individual, or if the~~
24 ~~occupation and employer of the individual are unknown, a~~
25 ~~statement that the committee has made a good faith effort to~~
26 ~~ascertain this information;~~

1 ~~(9) the total amount of proceeds received by such committee~~
2 ~~from (a) the sale of tickets for each dinner, luncheon,~~
3 ~~cocktail party, rally, and other fund raising events; (b) mass~~
4 ~~collections made at such events; and (c) sales of items such as~~
5 ~~political campaign pins, buttons, badges, flags, emblems,~~
6 ~~hats, banners, literature, and similar materials;~~

7 ~~(10) each contribution, rebate, refund, or other receipt in~~
8 ~~excess of \$150 received by such committee not otherwise listed~~
9 ~~under items (4) through (9), and if the contributor is an~~
10 ~~individual who contributed more than \$500, the occupation and~~
11 ~~employer of the contributor or, if the occupation and employer~~
12 ~~of the contributor are unknown, a statement that the committee~~
13 ~~has made a good faith effort to ascertain this information;~~

14 ~~(11) the total sum of all receipts by or for such committee~~
15 ~~or candidate during the reporting period;~~

16 ~~(12) the full name and mailing address of each person to~~
17 ~~whom expenditures have been made by such committee or candidate~~
18 ~~within the reporting period in an aggregate amount or value in~~
19 ~~excess of \$150, the amount, date, and purpose of each such~~
20 ~~expenditure and the question of public policy or the name and~~
21 ~~address of, and office sought by, each candidate on whose~~
22 ~~behalf such expenditure was made;~~

23 ~~(13) the full name and mailing address of each person to~~
24 ~~whom an expenditure for personal services, salaries, and~~
25 ~~reimbursed expenses in excess of \$150 has been made, and which~~
26 ~~is not otherwise reported, including the amount, date, and~~

1 ~~purpose of such expenditure;~~

2 ~~(14) the total sum of expenditures made by such committee~~
3 ~~during the reporting period;~~

4 ~~(15) the full name and mailing address of each person to~~
5 ~~whom the committee owes debts or obligations in excess of \$150,~~
6 ~~and the amount of such debts or obligations.~~

7 ~~The Board shall by rule define a "good faith effort".~~

8 (Source: P.A. 90-495, eff. 1-1-98; 90-737, eff. 1-1-99.)

9 (10 ILCS 5/9-16) (from Ch. 46, par. 9-16)

10 Sec. 9-16. It shall be the duty of the board and of each
11 county clerk-

12 ~~(1) to make the reports and statements filed with them~~
13 ~~available for public inspection and copying, commencing as soon~~
14 ~~as practicable but not later than the end of the second day~~
15 ~~following the day during which it was received, and to permit~~
16 ~~copying of any such report or statement by hand or at cost by~~
17 ~~duplicating machine, as requested by any person, at the expense~~
18 ~~of such person;~~

19 ~~(2) to preserve such reports and statements for a period of~~
20 ~~2 years from the date of receipt;~~

21 ~~(3) to develop a filing, coding, and cross-indexing system~~
22 ~~consonant with the purposes of this Article;~~

23 ~~(4) to compile and maintain a current list of all~~
24 ~~statements or parts of statements pertaining to each candidate;~~

25 ~~(5) to prepare and publish such reports as the board or~~

1 ~~county clerk may deem appropriate;~~

2 ~~(6) to report apparent violations of law to the appropriate~~
3 ~~law enforcement authorities; and~~

4 ~~(7) to provide to each candidate at the time he files his~~
5 ~~nomination papers a notice of obligations under this Article.~~
6 ~~Said notice shall state that the manual of instructions and~~
7 ~~forms for the statements required to be filed under this~~
8 ~~Article are available from the Board or the county clerk upon~~
9 ~~request. Said notice shall be given each candidate by the Board~~
10 ~~or county clerk and the candidate shall receipt therefor.~~

11 However, if a candidate files his nomination papers by mail or
12 if an agent of the candidate files nomination papers on behalf
13 of the candidate, the Board or the county clerk shall within 2
14 business days of the day and hour endorsed on the petition send
15 such notice to the candidate by first class mail. Such notice
16 shall briefly outline who is required to file under the
17 campaign disclosure law and the penalties for failure to file.
18 The notice of obligations under this Article shall be prepared
19 by the Board.

20 ~~Thereafter, at least 30 days before each filing date for~~
21 ~~reports of campaign contributions and for semi-annual reports~~
22 ~~of campaign contributions and expenditures, the Board shall~~
23 ~~send by first class mail to each political committee that has~~
24 ~~filed a statement of organization with the Board or the Board~~
25 ~~and the county clerk, a notice of obligations under this~~
26 ~~Article, and appropriate forms for filing the report. The~~

1 ~~notice shall contain a statement that the manual of~~
2 ~~instructions is available from the Board or the county clerk~~
3 ~~upon request.~~

4 ~~The board or the appropriate clerk shall preserve the~~
5 ~~receipts for said packets and notices for a period of 2 years~~
6 ~~from the date of receipt.~~

7 (Source: P.A. 86-873.)

8 (10 ILCS 5/9-21) (from Ch. 46, par. 9-21)

9 Sec. 9-21. Upon receipt of a such complaint as provided in
10 Section 9-20, the Board shall hold a closed preliminary hearing
11 to determine whether or not the complaint appears to have been
12 filed on justifiable grounds. Such closed preliminary hearing
13 shall be conducted as soon as practicable after affording
14 reasonable notice, a copy of the complaint, and an opportunity
15 to testify at such hearing to both the person making the
16 complaint and the person against whom the complaint is
17 directed. If the Board fails to determine that the complaint
18 has been filed on justifiable grounds, it shall dismiss the
19 complaint without further hearing. Any additional hearings
20 shall be open to the public.

21 Whenever ~~in the judgment of the Board,~~ in an open meeting,
22 determines, after affording due notice and an opportunity for a
23 public hearing, that any person has engaged or is about to
24 engage in an act or practice which constitutes or will
25 constitute a violation of any provision of this Article or any

1 regulation or order issued thereunder, the Board shall issue an
2 order directing such person to take such action as the Board
3 determines may be necessary in the public interest to correct
4 the violation. In addition, if the act or practice engaged in
5 consists of the failure to file any required report within the
6 time prescribed by this Article, the Board, as part of its
7 order, shall further provide that if, within the 12-month
8 period following the issuance of the order, such person fails
9 to file within the time prescribed by this Article any
10 subsequent report as may be required, such person may be
11 subject to a civil penalty pursuant to Section 9-23. The Board
12 shall render its final judgment within 60 days of the date the
13 complaint is filed; except that during the 60 days preceding
14 the date of the election in reference to which the complaint is
15 filed, the Board shall render its final judgment within 7 days
16 of the date the complaint is filed, and during the 7 days
17 preceding such election, the Board shall render such judgment
18 before the date of such election, if possible.

19 At any time prior to the issuance of the Board's final
20 judgment, the parties may dispose of the complaint by a written
21 stipulation, agreed settlement or consent order. Any such
22 stipulation, settlement or order shall, however, be submitted
23 in writing to the Board and shall become effective only if
24 approved by the Board in an open meeting. If the act or
25 practice complained of consists of the failure to file any
26 required report within the time prescribed by this Article,

1 such stipulation, settlement or order may provide that if,
2 within the 12-month period following the approval of such
3 stipulation, agreement or order, the person complained of fails
4 to file within the time prescribed by this Article any
5 subsequent reports as may be required, such person may be
6 subject to a civil penalty pursuant to Section 9-23.

7 Any person filing a complaint pursuant to Section 9-20 may,
8 upon written notice to the other parties and to the Board,
9 voluntarily withdraw the complaint at any time prior to the
10 issuance of the Board's final determination.

11 (Source: P.A. 93-574, eff. 8-21-03.)

12 (10 ILCS 5/9-23.5 new)

13 Sec. 9-23.5. Public database of founded complaints. The
14 State Board of Elections shall establish and maintain on its
15 official website a searchable database, freely accessible to
16 the public, of each complaint filed with the Board under this
17 Article with respect to which Board action was taken, including
18 all Board actions and penalties imposed, if any. The Board must
19 update the database within 5 business days after an action is
20 taken or a penalty is imposed to include that complaint,
21 action, or penalty in the database. The Task Force on Campaign
22 Finance Reform shall make recommendations on improving access
23 to information related to founded complaints.

24 (10 ILCS 5/9-28)

1 Sec. 9-28. Electronic filing and availability. The Board
2 shall by rule provide for the electronic filing of expenditure
3 and contribution reports as follows:

4 ~~Electronic~~ Beginning July 1, 1999, or as soon thereafter as
5 ~~the Board has provided adequate software to the political~~
6 ~~committee, electronic~~ filing is required for all political
7 committees that during the reporting period (i) had at any time
8 a balance or an accumulation of contributions of \$10,000
9 ~~\$25,000~~ or more, (ii) made aggregate expenditures of \$10,000
10 ~~\$25,000~~ or more, or (iii) received loans of an aggregate of
11 \$10,000 ~~\$25,000~~ or more.

12 ~~Beginning July 1, 2003, electronic filing is required for~~
13 ~~all political committees that during the reporting period (i)~~
14 ~~had at any time a balance or an accumulation of contributions~~
15 ~~of \$10,000 or more, (ii) made aggregate expenditures of \$10,000~~
16 ~~or more, or (iii) received loans of an aggregate of \$10,000 or~~
17 ~~more.~~

18 The Board may provide by rule for the optional electronic
19 filing of expenditure and contribution reports for all other
20 political committees. The Board shall promptly make all reports
21 filed under this Article by all political committees publicly
22 available by means of a searchable database that is accessible
23 on the Board's website ~~through the World Wide Web.~~

24 The Board shall provide all software necessary to comply
25 with this Section to candidates, public officials, political
26 committees, and election authorities.

1 The Board shall implement a plan to provide computer access
2 and assistance to candidates, public officials, political
3 committees, and election authorities with respect to
4 electronic filings required under this Article.

5 ~~For the purposes of this Section, "political committees"~~
6 ~~includes entities required to report to the Board under Section~~
7 ~~9-7.5.~~

8 (Source: P.A. 90-495, eff. 8-18-97; 90-737, eff. 1-1-99.)

9 (10 ILCS 5/9-28.5 new)

10 Sec. 9-28.5. Injunctive relief for electioneering
11 communications.

12 (a) Whenever the Attorney General, or a State's Attorney
13 with jurisdiction over any portion of the relevant electorate,
14 believes that any person, as defined in Section 9-1.6, is
15 making, producing, publishing, republishing, or broadcasting
16 an electioneering communication paid for by any person, as
17 defined in Section 9-1.6, who has not first complied with the
18 registration and disclosure requirements of this Article, he or
19 she may bring an action in the name of the People of the State
20 of Illinois or, in the case of a State's Attorney, the People
21 of the County, against such person or persons to restrain by
22 preliminary or permanent injunction the making, producing,
23 publishing, republishing, or broadcasting of such
24 electioneering communication until the registration and
25 disclosure requirements have been met.

1 (b) Any political committee that believes any person, as
2 defined in Section 9-1.6, is making, producing, publishing,
3 republishing, or broadcasting an electioneering communication
4 paid for by any person, as defined in Section 9-1.6, who has
5 not first complied with the registration and disclosure
6 requirements of this Article may bring an action in the circuit
7 court against such person or persons to restrain by preliminary
8 or permanent injunction the making, producing, publishing,
9 republishing, or broadcasting of such electioneering
10 communication until the registration and disclosure
11 requirements have been met.

12 (10 ILCS 5/9-30)

13 Sec. 9-30. Ballot forfeiture. The State Board of Elections
14 shall not certify the ~~The~~ name of any ~~a~~ person who has not paid
15 a civil penalty imposed against his or her political committee
16 ~~him or her~~ under this Article to ~~shall not~~ appear upon any
17 ballot for any office in any election if ~~while~~ the penalty is
18 unpaid by the date required for certification.

19 The State Board of Elections shall generate a list of all
20 candidates whose political committees have not paid any civil
21 penalty assessed against them under this Article. Such list
22 shall be transmitted to any election authority whose duty it is
23 to place the name of any such candidate on the ballot. The
24 election authority shall not place upon the ballot the name of
25 any candidate appearing on this list for any office in any

1 election while the penalty is unpaid, unless the candidate has
2 requested a hearing and the Board has not disposed of the
3 matter by the date of certification.

4 (Source: P.A. 93-615, eff. 11-19-03.)

5 (10 ILCS 5/9-40 new)

6 Sec. 9-40. Campaign Finance Reform Task Force.

7 (a) There is hereby created the Campaign Finance Reform
8 Task Force. The purpose of the Task Force is to conduct a
9 thorough review of the implementation of campaign finance
10 reform legislation in the State of Illinois, and the
11 feasibility of implementing a mechanism of campaign finance
12 regulation that would subsidize political campaigns in
13 exchange for voluntary adherence to specified expenditure
14 limitations.

15 (b) The Task Force shall consist of 11 members, appointed
16 as follows: 2 each by the Speaker of the House of
17 Representatives, the Minority Leader of the House of
18 Representatives, the President of the Senate, and the Minority
19 Leader of the Senate; and 3 by the Governor, one of whom shall
20 serve as chairperson. Members shall be adults and residents of
21 Illinois. The individual (or his or her successor) who
22 appointed a member may remove that appointed member before the
23 expiration of his or her term on the Task Force for official
24 misconduct, incompetence, or neglect of duty. Members shall
25 serve without compensation, but may be reimbursed for expenses.

1 Appointments shall be made within 60 days after the effective
2 date of this amendatory Act of the 96th General Assembly.

3 (c) The Task Force shall conduct meetings and conduct a
4 public hearing before filing any report mandated by this
5 Section. At the public hearings, the Task Force shall allow
6 interested persons to present their views and comments. The
7 Task Force shall submit all reports required by this Section to
8 the Governor, the State Board of Elections, and the General
9 Assembly. In addition to the reports required by this Section,
10 the Task Force may provide, at its discretion, interim reports
11 and recommendations. The State Board of Elections shall provide
12 administrative support to the Task Force.

13 (d) The Task Force shall study the feasibility of
14 implementing a mechanism of campaign finance regulation that
15 would subsidize political campaigns in exchange for voluntary
16 adherence to specified expenditure limitations. In conducting
17 its study, the Task Force shall consider a system of public
18 financing by State government for the conduct and finance of
19 election campaigns for the following: (1) Representatives and
20 Senators in the General Assembly, (2) constitutional offices of
21 State government, and (3) judges. The Task Force may propose
22 financing campaigns through funding mechanisms including, but
23 not limited to, fines, voluntary contributions, surcharges on
24 lobbying activities, and a whistleblower fund. In determining a
25 plan for election to each office, the Task Force shall consider
26 the following factors:

1 (i) the amount of funds raised by past candidates for
2 that office;

3 (ii) the amount of funds expended by past candidates
4 for that office;

5 (iii) the disparity in the amount of funds raised by
6 candidates of different political parties;

7 (iv) the amount of funds expended by entities not
8 affiliated with a candidate;

9 (v) the amount of money contributed to or expended by a
10 committee of a political party to promote a candidate;

11 (vi) jurisprudence with relation to campaign finance
12 and public financing; and

13 (vii) such other factors, not confined to the
14 foregoing, that the Task Force determines to be related to
15 the public financing of elections in this State.

16 The Task Force shall also study the feasibility of creating
17 public financing within the statutory system of limits, or if
18 the system of limits should be changed to facilitate a system
19 of public financing and the need for a process to protect
20 candidates who receive public financing against candidates who
21 do not opt to participate in public financing or who
22 self-finance.

23 The Task Force shall submit the report required by this
24 subsection no later than December 31, 2011. The Task Force may
25 provide, at its discretion, interim reports and
26 recommendations before that date.

1 (e) The Task Force shall examine and make recommendations
2 related to the provisions of this amendatory Act of the 96th
3 General Assembly in Section 9-8.5 (c-5) and (c-10) limiting
4 contributions to a political party committee from a candidate
5 political committee or political party committee. The Task
6 Force shall submit a report with recommendations required by
7 this subsection no later than September 30, 2012. The Task
8 Force may provide, at its discretion, interim reports and
9 recommendations before that date.

10 (f) The Task Force shall review the implementation of this
11 amendatory Act of the 96th General Assembly and any additional
12 campaign finance reform legislation considered by the General
13 Assembly. The Task Force shall examine each provision of this
14 amendatory Act of the 96th General Assembly and make
15 recommendations for changes, deletions, or improvements. In
16 conducting its review of campaign finance reform
17 implementation, the Task Force shall also consider and address
18 a variety of empirical measures, case studies, and comparative
19 analyses, including, but not limited to the following:

20 (i) campaign finance legislation in other states as
21 well as the federal system of campaign finance regulation;

22 (ii) the impact of contribution limits in Illinois,
23 including the impact on contributions from individuals,
24 corporations, associations, and labor organizations;

25 (iii) the impact of contribution limits on independent
26 expenditures in Illinois;

1 (iv) the effectiveness, reliability, and cost of
2 various enforcement mechanisms;

3 (v) the best practices in mandating timely disclosure
4 of the origin of campaign contributions; and

5 (vi) the best way to require and conduct random audits
6 and audits for cause.

7 The Task Force shall also submit a report detailing the
8 following: (i) the effectiveness of enforcement mechanisms,
9 (ii) whether the disclosure requirements and the definition of
10 "receipt" result in accurate reporting; (iii) issues related to
11 audits, (iv) the effect of using the same election cycle for
12 all members of the General Assembly, and (v) the impact of
13 Section 9-8.5(h).

14 The Task Force shall submit reports required by this
15 subsection no later than March 1, 2013 and March 1, 2015.

16 (g) The Task Force shall submit a final report by March 10,
17 2015. The Task Force is abolished and this Section is repealed
18 on March 15, 2015.

19 (10 ILCS 5/29-12) (from Ch. 46, par. 29-12)

20 Sec. 29-12. Disregard of Election Code. Except with respect
21 to Article 9 of this Code, any ~~Any~~ person who knowingly (a)
22 does any act prohibited by or declared unlawful by, or (b)
23 fails to do any act required by, this Code, shall, unless a
24 different punishment is prescribed by this Code, be guilty of a
25 Class A misdemeanor.

1 (Source: P.A. 78-887.)

2 (10 ILCS 5/9-1.7 rep.)

3 (10 ILCS 5/9-4 rep.)

4 (10 ILCS 5/9-7.5 rep.)

5 (10 ILCS 5/9-12 rep.)

6 (10 ILCS 5/9-14 rep.)

7 Section 10. The Election Code is amended by repealing
8 Sections 9-1.7, 9-4, 9-7.5, 9-12, and 9-14.

9 Section 97. Severability. The provisions of this Act are
10 severable under Section 1.31 of the Statute on Statutes.

11 Section 99. Effective date. This Act takes effect on
12 January 1, 2011, except that this Section and the changes in
13 Section 5 to Sections 9-1.14, 9-1.15, 9-2, 9-3, 9-8.6, 9-28.5,
14 and 9-40 of the Election Code take effect on July 1, 2010.